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7 UNITED STATES DISTRICT COURT

8 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

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10 DERRICK L. JOHNSON,

11 Plaintiff,

12 v.

13 CALIFORNIA, et, al.,

14 Defendants.

15 Case No. CV 24-03735-JGB (AS)

16 ORDER ACCEPTING FINDINGS,

17 CONCLUSIONS AND RECOMMENDATIONS OF

18 UNITED STATES MAGISTRATE JUDGE

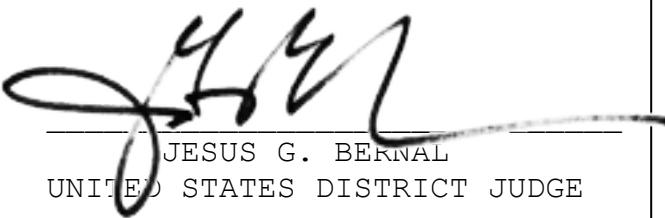
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20 Pursuant to 28 U.S.C. section 636, the Court has reviewed the
21 Complaint, all of the records herein, and the Report and
22 Recommendation of a United States Magistrate Judge, to which no
23 objections were filed. **However, the Court construes Plaintiff's**
24 **Ex Parte Applications for Temporary Restraining Order (Dkt. Nos.**
25 **82, 91, 96, 102), Motions for Review and Reconsideration re Ex**
26 **Parte Applications for Temporary Restraining Order (Dkt. Nos. 88,**
27 **92, 98) and accompanying declarations and attachments (Dkt. Nos.**
28 **83-85, 89-90, 93-95, 99-101) as objections to the R&R. After**
having made a de novo determination of the portions of the Report
and Recommendation to which Objections were directed, the Court
concurs with and accepts the findings and conclusions of the

1 **Magistrate Judge.** In sum, Plaintiff's Objections do not cause the
2 Court to reconsider its decision to accept the Magistrate Judge's
3 conclusions and recommendations. Accordingly, the Court concurs
4 with and accepts the findings and conclusions of the Magistrate
5 Judge in the Report and Recommendation.

6 **IT IS ORDERED** that (1) Plaintiff's Ex Parte Applications for
7 entry of default against the State of California as well as his
8 Applications for a Temporary Restraining Order (Dkt. Nos. 70, 72,
9 75, 82, 91, 96 and 102) are DENIED; (2) Plaintiff's motions for
10 review and reconsideration (Dkt. Nos. 88, 92 and 98) are DENIED;
11 (3) Defendant Starbucks's Request for Judicial Notice (Dkt. No.
12 16) is GRANTED; (4) the Motions to Dismiss filed by Defendant
13 Starbucks and Defendant Commissioner Rubin (Dkt. Nos. 15 and 26)
14 are GRANTED; (5) Plaintiff's federal claims (Claims One through
15 Three) are DISMISSED WITH PREJUDICE; and (6) Plaintiff's state law
16 claims (Claims Four and Five) are DISMISSED WITHOUT PREJUDICE.
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20 **IT IS FURTHER ORDERED** that the Clerk serve copies of this
21 Order and the Magistrate Judge's Report and Recommendation on
22 Plaintiff and counsel for Defendants.
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DATED: December 26, 2024

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27 JESUS G. BERNAL
28 UNITED STATES DISTRICT JUDGE